

## **KENTUCKY HEALTH BENEFIT EXCHANGE ADVISORY BOARD**

### **BEHAVIORAL HEALTH SUBCOMMITTEE**

#### **Meeting Minutes**

**April 9, 2013**

#### **Call to Order and Roll Call**

The sixth meeting of the Behavioral Health Subcommittee was held on Tuesday, April 9, 2013, at 1:30 p.m. in the Small Conference Room at the Office of the Kentucky Health Benefit Exchange. Julie Paxton, Chair, called the meeting to order at 1:35 p.m., and the Secretary called the roll.

Subcommittee Members Present: Julie Paxton, Chair; Dr. Rich Edelson, Kelly Gunning, Kathy Lower (by phone), Sheila Schuster, and Marcus Woodward. Gabriela Alcalde, Nancy Galvagni, David Hanna, Stephen Hall, Jennifer Nolan, Susan Rittenhouse, Steve Shannon, and Jordan Wildermuth were not present at the meeting.

Staff Present: Carrie Banahan, Miriam Fordham, Vanessa Petrey, Sherilyn Redmon, and D. J. Wasson (DOI).

#### **Approval of Minutes**

A motion was made to accept the minutes of the March 19, 2013, meeting as submitted, seconded, and approved by voice vote.

#### **Update on Exchange Activities**

Carrie Banahan, Executive Director, Office of the Kentucky Health Benefit Exchange (KHBE), updated the subcommittee on Exchange activities. The KHBE had a site visit from representatives of the Center for Consumer Information and Insurance Oversight (CCIIO) and the Centers for Medicare and Medicaid Services (CMS) for the Final Detailed Design Review on March 25 and 26. The KHBE received favorable feedback with no major concerns noted, and CCIIO and CMS were assured that Kentucky will be ready for open enrollment and be operational by October 1, 2013. The KHBE contract with Xerox for the Contact Center has been finalized. The Contact Center will be housed within Kentucky and will create approximately 100 new jobs for Kentuckians. The Qualified Health Plan certification draft administrative regulation is currently being finalized and should be ready to file within a couple of weeks.

#### **Report of the Behavioral Health Workgroup**

Sheila Schuster reported that the Behavioral Health Workgroup met earlier today. The workgroup considered making a recommendation to the KHBE Advisory Board concerning reimbursement and credentialing of those independently practicing behavioral health providers which, under statute, are licensed under supervision. The members expressed concern that the timing of the April 1 deadline for form filing would necessitate action on the provider network.



D. J. Wasson, Department of Insurance (DOI), has surveyed the insurers regarding their behavioral health reimbursement policies for licensed mental health professionals and has received feedback from three insurers and is awaiting a response from the other two insurers. The responses received to date indicate mixed results primarily for those professionals that work under supervision.

Staff from the DOI and the KHBE will meet to discuss network adequacy and access issues, particularly with respect to behavioral health and substance Abuse. Ms. Wasson noted that the April 1 deadline is a “soft” deadline for insurers. Ms. Wasson further stated that network adequacy review is typically separate from the insurers’ form filings and should not be affected by the date that issuers have to file their forms. The DOI is currently adding elements to its network adequacy review, and the work should be completed within the next month at the latest. This issue is on the “fast track” and being completed as rapidly as possible.

Ms. Schuster asked whether there can be differences in provider contracting, based on geographic differences. Ms. Wasson noted that this would have to be reviewed, as she was unsure about whether that was possible. The DOI does not regulate provider contracting with insurers. The DOI does become involved if covered benefits as provided in the statement of coverage cannot be provided.

Ms. Banahan commented that the KHBE has a contract with Deloitte to review health care workforce adequacy, and the review should be finalized within the next week. The preliminary data indicates that there is a shortage of behavioral health providers in rural areas. Marcus Woodward recommended that the workgroup meeting be scheduled after the results of the Deloitte study are available. Ms. Banahan will work on scheduling a meeting in May.

The Behavioral Health Workgroup decided that the recommendation concerning reimbursement and credentialing of those independently practicing behavioral health providers which, under statute, are licensed under supervision, will be tabled pending the further discussions by staff from the DOI and the KHBE.

### **Essential Community Providers**

The federal Health Resources and Services Administration (HRSA) recently published the list of essential community providers (ECP). Upon review of the list of ECPs, it was determined that the list does not include Community Mental Health Centers (CMHC) as essential community providers. The subcommittee raised the questions as to why the CMHCs were not included in the listing. Ms. Banahan stated that HRSA compiled the list and the KHBE is not sure about the process used in creating the ECP list. The KHBE will contact Kentucky’s state officer at CCIIO and ask why CMHC’s were not included.

### **Other Business**

The next Behavioral Health Subcommittee meeting will be scheduled after the health care workforce capacity data from Deloitte is available.

### **Adjournment**

The meeting adjourned at 2:10 p.m.